



Privacy Notice – Patients & Service Users



North West Hospice Privacy Notice for Patients & Service Users.

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1. Purpose

You may be aware that new data protection legislation has come into effect on 25th May 2018. The General Data Protection Regulation (GDPR) is a new EU regulation, which will replace existing data protection law and will place a greater responsibility on organisations when using personal information. It will also give you greater control over your personal information. We take the protection of your data very seriously and we understand that processing personal data comes with significant responsibility.

Your privacy is very important to North West Hospice and we have been working hard on implementing the required changes. We provide healthcare and services to **the people in our surrounding area**. As we are a charity, we **raise vital funds**, in the community through the generosity of our valuable supporters. We also rely on the --- of **our Volunteers**

Our **Data Privacy Notice** describes how we use your personal information and the rights you have in relation to your personal information.

2. The information we process

To allow us to provide our Specialist Palliative Care services to you, we collect and process various categories of

personal information. Information we collect may include:

- Personal details about you, such as date of birth, address, next of kin, contact details (mobile phone number) etc.
- Notes and reports about your health needs
- Results of investigations, such as X-Rays and laboratory tests
- Relevant information from other health and social care professionals, your carers or relatives

We may also process certain special categories of information, which may include racial or ethnic origin, religious or philosophical beliefs, and the processing of genetic data, biometric data for the purpose of uniquely identifying a person, data concerning health.

3. Legal basis for processing

The lawful basis for North West Hospice processing personal data of service users is as follows:

1. The processing is necessary in order to protect the vital interests of the person (referred to as the data subject in Data Protection language).
2. The processing is necessary for a task carried out in the public interest or in the exercise of official authority vested in the controller; for the HSE this official authority is vested in us through the Health Act 2004 (as amended)(under HSE/North West Hospice Service Level Agreement).

Special categories of data are defined by the GDPR, and include things like racial or ethnic origin, religious or philosophical beliefs, genetic data, biometric data, health data, sex life details and sexual orientation.

We will only process special categories of personal data where it is necessary:

- for the purposes of preventative or occupational medicine,
- for the assessment of the working capacity of an employee,
- for medical diagnosis,
- for the provision of healthcare, treatment or social care,
- for the management of health or social care systems and services, or pursuant to a contract with a health professional.

Processing is lawful, where it is undertaken by, or under the responsibility of:

- a health practitioner, or
- a person who in the circumstances owes a duty of confidentiality to the data subject that is equivalent to that which would exist if that person were a health practitioner. For example the administration staff, Primary Care Centre staff etc.

If the purpose of the processing is for a reason other than the reasons above, we will seek explicit consent to process your sensitive personal data (referred to as 'special categories' of data under the GDPR).

4. How we obtain information

We may obtain your information from a variety of sources, including information you give to us. We may also receive your personal information from third parties, for example your GP, your primary Consultant, or pharmacist.

5. Your rights

You have certain legal rights concerning your information and the manner in which we process it. This includes:

- a right to get access to your personal information;
- a right to request us to correct inaccurate information, or update incomplete information;
- a right to request that we restrict the processing of your information in certain circumstances;
- a right to request the deletion of personal information excluding medical records
- a right to receive the personal information you provided to us in a portable format;
- a right to object to us processing your personal information in certain circumstances;
- a right to lodge a complaint with the data protection commissioner.

6. Access your health records

You can access your records by making a subject access request (SAR). Forms are available for this purpose at <https://www.hse.ie/eng/gdpr>.

Alternatively you can write directly to Nuala Ginnelly, Hospice Manger, (Data Protection Officer) North West Hospice.

It is important that you provide satisfactory evidence of identification and a sufficient description of the data that you are looking for.

7. Who is the data controller?

The data controller in most instances is North West Hospice.

8. Your Information may be used to

- Review the care we provide for you to ensure it is of the highest standard
- Investigate complaints, legal claims or adverse incidents
- Protect wider public health interests
- Provide information for planning so we can meet future needs for health and social care services
- Provide information to prepare statistics on Health Service performance
- Carry out health audits
- Provide training and development

9. What other use is made of your Information

North West Hospice provides statistical information to other organisations such as the Department of Health and research institutions. We will make sure, that you cannot be identified by anonymising the information. If it is not possible to anonymise the information, you will be contacted for your consent.

10. Sharing with third parties

You may also be receiving health or social care from providers outside of North West Hospice, i.e. hospitals, specialists Public Health Nurse Services etc. In order to assist in this process, we may make referrals on your behalf requiring the need to share your personal information with those providers. We will only do so if there is a genuine need in order to ensure the highest quality of care is provided to you. We are careful only to share the information that is necessary for this purpose. Anyone who receives this information is also bound by confidentiality and the data protection laws.

In certain situations, we may have to disclose your personal information to other agencies, in accordance with legal requirements, i.e. Dept. of Social welfare, Department of Health, the Courts etc.

11. Transferring information overseas

We may transfer your information to organisations in other countries which is necessary to provide you with health and social care services, on the basis that anyone to whom we pass it protects it in the same way we would and in accordance with applicable laws. For more information about overseas transfers, please contact us using the contact information provided above.

12. How do we keep your records secure and confidential?

We are committed to ensuring that your information is secure with us and with the third parties who act on our behalf. We have a number of security precautions in place to prevent the loss, misuse or alteration of your information. All staff working for North West Hospice have a legal duty to keep information about you confidential and all staff are trained in



information security and confidentiality. North West Hospice has strict information security policies and procedures in place to ensure that information about you is safe, whether it is held in paper or electronic format.

13. Sharing Information – with the HSE

Clinical information collected by a doctor or other healthcare professional or staff member authorized to process your data is not passed on to others within the HSE, unless it is considered necessary for your health or social care needs or for one of the other reasons set out above (where possible, the personal information is anonymized or pseudonymised).

14. Retention period

We will only retain information for as long as necessary. Records, are maintained in Line, with the recommendations of North West Hospice Retention and Disposal of Healthcare Records policy.

15. Contact details

Please contact our Data Protection Office:

- If you have any queries in relation to Data Protection or other issues around the security of your personal information
- For more information about the steps we are taking to protect your information
- For more information about your rights, including the circumstances in which you can exercise them and how to exercise them,
- If you wish to raise a complaint on how we have handled your personal information, you can contact our Data Protection Officer who will investigate the matter. We hope that we can address any concerns you may have.

North West Hospice,

The Mall, Sligo.

Telephone No. 071 914 3317.

E-mail; info@northwesthospice.ie

Data Protection Officer,

Nuala Ginnelly. 071 9170523